

Bill Summary

S. 2340, the Daniel Anderl Judicial Security and Privacy Act

The Daniel Anderl Judicial Security and Privacy Act (S. 2340) is bipartisan, bicameral legislation designed to bolster efforts to protect the federal judiciary and safeguard the personally identifiable information of federal judges and their immediate families.

S. 2340 is named after Daniel Anderl, the son of U.S. District Court Judge Esther Salas. In 2020, Judge Salas' son was murdered and her husband was wounded when a former litigant in her courtroom found her personal information on the internet and came to her home intending to kill her. Targeted for her race and gender, Judge Salas faced a tragedy that no judge should ever experience again.

In recent years, an increasing number of Federal judges have been threatened for carrying out their critical work of administering justice. Personal information about judges and their families, including home addresses, is easily found online. This legislation is narrowly tailored and strikes the appropriate balance between the safety of Federal judges and their families and the importance of transparency and accountability in the judiciary.

This legislation was originally introduced during the 116th Congress. It was favorably reported by the Senate Judiciary Committee in December 2021 with a unanimous bipartisan vote. The bill is included in FY2023 National Defense Authorization Act text that passed the House on December 8, 2022 by a 350-80 vote.

Specifically, the bill would:

- Prohibit commercial data collectors from knowingly selling, trading, licensing, transferring, or purchasing judges' personally identifiable information (PII) and authorize the Administrative Office of the U.S. Courts to provide data brokers with a current list of federal judges and their immediate family members;
- Prohibit government agencies from making public a judges' PII. It also allows judges, through the Administrative Office of the Courts, to request government agencies remove the judges' PII information within 72 hours if it is already publicly available;
- Prohibit other businesses and persons from publicly posting or displaying the PII of a Federal judge or a Federal judge's immediate family members on the internet if the judge has requested the business or person not to display the PII. The prohibition does not apply to information that is relevant to and displayed as part of a news story, commentary, editorial, or other speech on matters of public concern; voluntarily published by a Federal judge after the date of enactment; or lawfully received from a Federal government source;

- Create a Federal grant program for state and local governments to defray the cost of actions to protect the PII of Federal judges on state or local government databases or registries and remove or redact the PII from public records;
- Require the Administrative Office of the United States Courts and websites that collect or receive PII of a Federal judge or a Federal judge's immediate family members to implement and maintain reasonable data security practices and procedures to protect the PII;
- Allow injunctive relief for violations of the law;
- Authorize the Federal judiciary to monitor and assess online threats, maintain records, investigate complaints and address acts of aggression and violations and;
- Allow the U.S. Marshals Service to hire additional intelligence analysts, deputy U.S. Marshals, physical security specialists, and other personnel to ensure the agency is able to anticipate and deter threats to federal judges.

117th Senate Cosponsors: Menendez, Booker, Graham, Durbin, Kennedy, Feinstein, Klobuchar, Coons, Blumenthal, Hirono, Padilla, Grassley, Cruz, Reed, Casey, Brown, Kaine, Inhofe, Hassan, Schatz, Warner, Kelly, Warren

117th House Cosponsors: Sherrill, Fitzpatrick, Kim [NJ], Bilirakis, Kuster, Scanlon, Jones, Cleaver, Amodei, Payne, Watson Coleman, Castor, Correa, Keating, Wasserman Schultz, Craig, Barr, Peters, Pallone, Gottheimer, Carson, Gaetz, Sires, Bacon, Lieu, Neguse, Cohen, Pascrell, Moolenaar, Malinowski, Ross, Swalwell, Hill, Norcross, O'Halleran, Murphy, Cárdenas, Titus, Cuellar, Jackson Lee, Sablan, Spanberger, Cicilline, San Nicolas, Gohmert, Roybal-Allard, Soto, McEachin, Porter, Jeffries, Escobar, Castro, Shakowsky, Matsui, Maloney, Aguilar, Fletcher, Joyce, Barragan, McNerney, Issa, Welch, Harder, Dean, Doyle, Womack, Pocan, Wild, Bonamici, Lamb, eshoo, Reschenthaler, Clyburn, Radewagen, Stanton, Lee [CA], Sánchez, Kildee, Cooper, Bishop, Krishnamoorthi, Grijalva, Suozzi, Langevin, Schiff, Raskin, Lawson, Speier, Wilson, Stevens, Vargas, Brownley, McKinley, Kahele, Demings, Deutch, Yarmuth, Case, Bustos, Lawrence, Manning, Cole, Davis, Morelle, Huffman, Luria, Gallego, Frankel, Westerman, Allred, Jayapal, Salazar, Moulton, Casten, Newman, Rutherford, Evans, Flood, Crow, Armstrong, González-Colón, Khanna, Lesko, Kaptur

Endorsing Organizations: the New Jersey State Bar Association, the National Association of Attorneys General, the Judicial Conference of the United States, the Federal Magistrate Judges Association, the American Bar Association, the Dominican Bar Association, the New York Intellectual Property Law Association, the Federal Bar Council, and the Hispanic National Bar Association.